UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division

In re:)	**Case No. 08-35653**
)	
CIRCUIT CITY STORES, INC.,)	**Chapter 11**
)	
Debtor.)	
)	

DECLARATION OF BRITTANY MAHER IN SUPPORT OF
RESPONSE OF ORIX CAPITAL MARKETS, LLC, TO THE LIQUIDATING TRUST'S
NINTH OMNIBUS OBJECTION TO LANDLORD CLAIMS (REDUCTION OF
CERTAIN PARTIALLY INVALID CLAIMS, RECLASSIFICATION OF CERTAIN
MISCLASSIFIED CLAIMS, DISALLOWANCE OF CERTAIN LATE FILED CLAIMS
AND DISALLOWANCE OF CERTAIN AMENDED CLAIMS)
(Claim Nos. 12423 and 14242)

The undersigned, having been duly sworn, states as follows:

1.   I am over eighteen (18) years of age.

2.   I have personal knowledge of and am competent to testify as to each of the matters set

forth herein.

3.   I am an asset manager for ORIX Capital Markets, LLC ("ORIX"). ORIX is the

special servicer for a trust fund, the beneficial ownership of which is evidenced by various

classes of mortgage pass-through certificates known as the Asset Securitization Corporation,

Commercial Mortgage Pass-Through Certificates Series 1997 D-5.

4.   I have reviewed the payment records maintained by ORIX in connection with real

property located at 2206 Hamilton Place Boulevard, Chattanooga, Tennessee. This property is

also known as Store No. 851 (Chattanooga, TN).

Lawrence A. Katz (VSB No. 47664)
Kristen E. Burgers (VSB No. 67997)
8010 Towers Crescent Drive, Suite 300
Vienna, VA 22182-2707
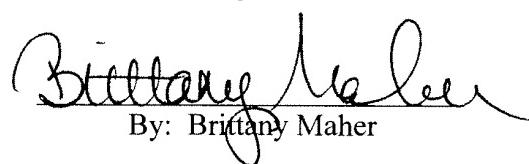P: (703) 760-1600
F: (703) 821-8949

Counsel for ORIX Capital Markets, LLC

5.   Based upon my review of ORIX's payment records, the amounts asserted by ORIX in

Claim No. 12423 are accurate.

6.   Based upon my review of ORIX's payment records, the amounts asserted by ORIX in

Claim No. 14242 are accurate.

        I DECLARE under the penalty of perjury under 28 U.S.C. §1746 that the contents of the
foregoing affidavit are, to the best of my ability and knowledge, true and correct.

Dated: June 2, 2011

By: Brittany Maher

MC1#327451